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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANDRE R. RHODES,
Petitioner,

v.

STATE OF CALIFORNIA
Respondent.

Case No. 17-CV-05609-LHK (PR)

ORDER OF DISMISSAL

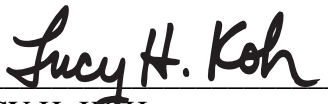
On September 28, 2017, petitioner, proceeding *pro se*, filed a petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254. That same day, the Clerk sent petitioner a notice of assignment to a magistrate judge and a blank consent or declination form for petitioner to return to the court. On October 16, 2017, petitioner returned a declination to proceed before a magistrate judge. On October 18, 2017, the Clerk sent petitioner a notice of impending reassignment to a district court judge. On November 7, 2017, the notice was returned to the court as undeliverable. Dkt. No. 8. To date, petitioner has had no further contact with the court.

Pursuant to Northern District Local Rule 3-11, the court may, without prejudice, dismiss an action when: (1) mail directed to the *pro se* party by the court has been returned to the court as not deliverable, and (2) the court fails to receive within sixty days of this return a written communication from the *pro se* party indicating a current address. *See* Civil L.R. 3-11(b).

1 Here, more than sixty days have passed since November 7, 2017, when mail that the court
2 sent to petitioner was returned to the court with no forwarding address. The court has not received
3 a notice from petitioner of a new address. Accordingly, the instant petition is **DISMISSED**
4 without prejudice pursuant to Rule 3-11 of the Northern District Local Rules. The Clerk shall
5 terminate all pending deadlines and close the file.

6 **IT IS SO ORDERED.**

7 Dated: 1/24/2018


8 LUCY H. KOH
9 United States District Judge
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